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February 28, 2023

BY ECF

Hon. Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Neil Cole, 19 Cr. 869 (ER)

Dear Judge Ramos:

We represent Neil Cole in the above-captioned matter. We write to inform the Court that after conferring with the government, Mr. Cole has elected not to file post-trial motions. Mr. Cole will reserve further litigation on several substantial issues for appeal.

The parties have conferred and reached an agreement as to bail pending appeal. The government has agreed that, provided Mr. Cole continues to comply with his conditions of release, pursuant to the Appearance Bond and Order Setting Conditions of Release filed in this case (ECF No. 17), the government consents to bail pending appeal. Pursuant to this agreement, should the Court sentence Mr. Cole to a period of confinement, the parties will request following sentencing that the Court continue Mr. Cole's release on bail pending appeal. *See* 18 U.S.C. § 3143(b).

The parties are available to answer any questions the Court may have.

Respectfully submitted,



Sean Hecker